

REQUEST FOR RECONSIDERATION

Applicants thank Examiner Niland for the courtesies extended to Applicants' representative in the discussion of the present application and the rejections of record. In particular, it was argued that the general disclosure of the Scriven et al. reference does not: 1) require the narrow ranges of $(-\text{OH} + >\text{N-H})/\text{NCO}$ equivalent ratios of the claimed invention, 2) describe any beneficial effect of having polyurethane particles formulated at the claimed size from the claimed formulation, and/or 3) suggest a formulation that is useful for obtaining a matting effect.

Accordingly, the rejection of claims 1-7, 6-11, and 13-20 under 35 U.S.C. § 102(b) as anticipated by Scriven et al. (US Patent No. 4,147,679); and the rejection of claims 1-20 under 35 U.S.C. § 103(a) as obvious over Scriven et al. are respectfully traversed.

The Scriven et al. reference generally discloses a "non-sedimenting, essentially emulsifier-free aqueous dispersion of an ungelled polyurethane having a particle size less than 10, preferably less than 5 microns, [and most preferably 1 micron or less] formed by reacting in aqueous medium in which water is the principal ingredient:

(A) an NCO-containing polymer . . . [the] NCO-containing polymer having an NCO/active hydrogen equivalent ratio of at least 4/3; [and]

(B) [an] active hydrogen-containing compound." (Column 3, lines 24-48; column 18, lines 6-11; column 20, lines 20-23). (Emphasis added).

According to the reference, coatings formulated from the dispersion have "excellent impact resistance and hardness." (Column 3, lines 19-20 and the Examples). (Emphasis added). In addition, the films formed by the coatings are "glossy extensible films." (See, e.g., column 29, line 31 of the Examples). (Emphasis added).

In contrast, the claimed invention recites an aqueous polyurethane formulation, comprising from 10 to 60%, by weight, of at least one polyurethane A, which is composed of selective monomers with the proviso that the amounts of the monomers are such that the:

(-OH + >N-H)/NCO equivalent ratios for the incorporated

monomers III/monomers I + II are from 0.1 to 0.75,
monomers IV/monomers I + II are from 0.2 to 0.8,
monomers V/monomers I + II are from 0.05 to 0.5,
monomers VI/monomers I + II are from 0 to 0.4,
monomers VII/monomers I + II are from 0 to 0.4,
monomers VIII/monomers I + II are from 0 to 0.2, and

those for the sum of the monomers III to VIII/monomers (I+II)
are from 0.80 to 1.25, the total amount of monomers I and
monomers II contains from 50 to 100 mol % of monomers I,
and from 50 to 2000 mmol of the carboxyl groups of the
incorporated monomers V, per kilogram of polyurethane A, are
present in anionic form in the aqueous formulation, and the
dispersed polyurethane particles have a particle size from 2-15
μm.

(Present claim 1). (Emphasis added).

According to the present specification, the “coatings obtainable with the novel polyurethane formulations have low polishability and a pleasant, warm, soft (fatty) handle.” (Present specification at page 11, lines 30-31). (Emphasis added). In particular, “[e]xtremely matt, nonpolishable finishes” are achieved by coating of the claimed formulation. (Present specification at page 15, lines 6-7). (Emphasis added). Moreover, it is noted in the present specification at page 10, lines 38-40, that “[a]queous polyurethane dispersions which contain particles having larger particle diameters are not stable and have a raw handle on leather; smaller particle diameters exhibit no matting effect.” (Emphasis added).

The Scriven et al. reference, as discussed above, clearly describes and suggests the complete opposite effect of the claimed invention. In particular, the disclosed aqueous dispersion is clearly not useful for formulating matt, nonpolishable finishes/films, since they are formulated for hardness and gloss. Further, there is no evidence or suggestion to

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formulate a coating or film of the claimed invention, since the NCO/active hydrogen equivalent ratio and particle size are preferably outside of the claimed range. Therefore, the claimed invention is novel and unobvious over the reference.

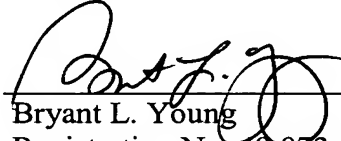
Accordingly, withdrawal of the reference is requested.

Applicants submit that new claims 21-24 are novel and unobvious, since the reference does not describe or suggest whatsoever a matt finished substrate/leather or a method of matting a substrate/leather according to these claims.

Applicants submit that the application is now in condition for allowance. Early notification of such allowance is earnestly solicited.

Respectfully submitted,

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